

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 05-cr-169-01-JD

Glen Walichiewicz

O R D E R

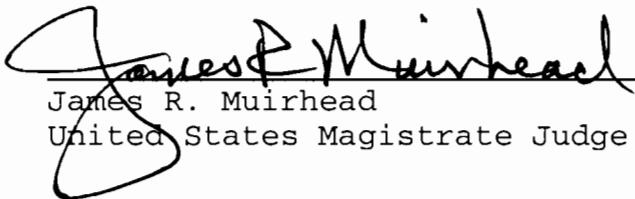
On August 7, 2009, defendant appeared for a bail violation hearing and a "probable cause" hearing under Fed. R. Crim. P. 32.1 on one alleged violation of conditions of supervision. Defendant was ordered to refrain from contact with Jodi Belanger and to notify probation immediately if she tried to contact him. The landlord's agent stated she was at his apartment. She was found there and he provided no notice to probation. I therefore find probable cause to hold him for a revocation hearing. I also find he violated condition 8(1).

Defendant sought bail conditions under Rule 32.1(a)(6) and § 3142. Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that he will not flee and that he poses no danger to any other person or to the community. Under 18 U.S.C. § 3142 I find that he violated his "no contact" bail condition and that he is unlikely to abide by any condition or combination of conditions of release.

Accordingly, it is **ORDERED** that the defendant be detained pending the revocation hearing.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: 8/7/09

cc: Arnold Huftalen, Esq.
Bjorn Lange, Esq.
U.S. Marshal
U.S. Probation